

STATUS OF CLAIMS

Claims 1, 2, 4-5, 7-9, 14, 16, 18-20 were pending of which claims 8, 9, 14 and 16 have been canceled without prejudice.

Claims 1, 2, 5-5, 7, 18-20 are presented and have been deemed allowable by the Examiner.

REMARKS

Applicants acknowledge receipt of an Advisory action dated September 3, 2003, wherein the Patent Office maintains the rejection of claims 8, 9, 14 and 16. To facilitate prosecution, Applicants by way of this amendment, have canceled claims 8, 9, 14 and 16, without prejudice to perusing the canceled subject matter in a continuation application.

It is believed that the above requested amendment is sufficient to place the application in a condition for allowance and a notice to that effect is earnestly solicited.

In a related matter, enclosed herein is an IDS together with Form 1449. Briefly, the instant application was transferred to the docket of the undersigned from another attorney's docket. Unbeknownst to the undersigned, an IDS was not filed by the attorney who was previously handling the application. Upon reviewing the file history, as is the customary practice of the undersigned, it became apparent that an IDS was never filed in the instant case. A notice of allowance has not been received by the undersigned.

It is believed that none of the reference cited in the IDS effect the patentability of the claims deemed allowable by the Examiner, insofar as it is believed that none of the reference cited in the IDS anticipate or make obvious the claimed subject matter.

Consequently, it is Applicants position that the cited references do not materially effect the patentability of the claimed subject matter. As such, Applicants respectfully request that the Patent Office review and consider the claims in the instant application in light of the IDS accompanying the present response and enter the IDS into the record.

In view of the amendment herein presented, it is respectfully submitted that each point raised by the Examiner has been attended to. In view of the foregoing, the application is now believed to be in proper form for allowance and notice to that effect is earnestly solicited.

If the Examiner believes that a telephone conference would be of value, he is requested to call the undersigned counsel at the number listed below.

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Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

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